

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ANDRE L. MARSHALL,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-10-0082-C
)	
DEBBIE MORTON, et al.,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Doyle W. Argo, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Argo entered a Report and Recommendation on November 1, 2010, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge. No point would be served in repeating that analysis. Petitioner does not specifically dispute either the factual recitation or the legal reasoning employed by the Magistrate Judge, but rather disagrees, in a summary fashion, with the ultimate conclusions. There is nothing asserted by the Petitioner which was not fully considered and correctly rejected by the Magistrate Judge, and no argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, the motions to dismiss of Defendants Taylor, Steer, and Waters (Dkt. No. 19), and Defendants Jones and Morton (Dkt. No. 23) are granted, and Counts I and II are dismissed with prejudice. The Court declines to entertain jurisdiction over the state law claims raised in Count III, and those claims are dismissed without prejudice. A judgment will enter accordingly.

IT IS SO ORDERED this 30th day of November, 2010.



ROBIN J. CAUTHRON
United States District Judge